

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

TYRONE JONES,)
)
Plaintiff,)
)
v.) **CIV-06-461-R**
)
T.C. PETERSON, et al.,)
)
Defendants.)

O R D E R

Before the Court is the Report and Recommendation of United States Magistrate Judge Doyle W. Argo entered May 31, 2006. No objection to the Report and Recommendation has been filed nor has an extension of time in which to object been sought or granted. Therefore, the Report and Recommendation is ADOPTED in its entirety and Plaintiff's Complaint is DISMISSED for failure to state a claim on which relief can be granted. Plaintiff is GRANTED leave to amend Count III of his Complaint, only, within fifteen (15) days of the date of this Order, to cure the deficiencies in that Count identified in the Report and Recommendation, if he can do so.

It is so ordered this 23rd day of June, 2006.


DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE